

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY, MARYLAND

SHANA DAVID  
3218 Heatherstone Road  
Ellicott City, MD 21042

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Case No.: \_\_\_\_\_

v.

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BIG LOTS  
4900 E Dublin Granville Road  
Columbus, OH 43081

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Serve: CSC Lawyers Incorporating  
Service Company  
7 St. Paul Street  
Baltimore, MD 21202

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**COMPLAINT**

(Negligence--Premises Liability--Jury Demand)

COMES NOW Plaintiff, Shana David, by and through her attorney, Michael V. McCubbin, Esquire and the law firm of Alpert Schreyer, LLC, and sues Big Lots, and for cause state as follows:

1. The Defendant was in the business of owning, operating, and maintaining a Big Lots Store in Baltimore County, Maryland, located at 11989 Reisterstown Road Reisterstown, Maryland 21136.

2. On or about July 26, 2019, at approximately 1:00 p.m., the Plaintiff entered said premises for the purpose of shopping and browsing in the store, as the store invited her and expected her to do.

3. At that time, the Plaintiff reached for a table, as she was invited to do in the manner prescribed by the defendant not knowing that the tables where not stacked or secured in a

proper or safe way. There was no warning to effectively warn to invitees of the dangerous situation, or the dangerous manner the tables had been placed.

4. The tables stacked on the shelves fell on the Plaintiff, causing her to suffer serious and permanent injuries. Plaintiff was acting entirely consistent with a reasonable shopper, as the Defendant's store invited and expected her to do.

5. The Defendant, and each of its employees, knew or should have known that no sign had been placed, nor any warning given constituting a dangerous condition on the premises regarding the tables, nor had they been properly secured.

6. It was then and there the duty and responsibility of the Defendant, and the Defendant's employees, to maintain the floors and the shelves of the establishment and keep them safe, and to place appropriate signs to give reasonable warning to those who were invited to use the premises or who were otherwise legally on the premises, including the Plaintiff, of the dangerous condition on the premises. Moreover, it was their duty to stock the shelves in a manner that would avoid such dangerous conditions and to properly and safely secure merchandise to avoid serious injury to potential customers, like the Plaintiff.

7. The Defendant, and its employees, failed to fulfill the above duties and responsibilities by failing to keep the shelves safely and properly stacked and giving no warning to the Plaintiff of the dangerous condition on the premises.

8. As a direct and proximate result of the negligence of the Defendant, and its employees, the Plaintiff was violently knocked down, causing her to suffer numerous injuries.

9. As a direct and proximate result of the negligence of the Defendant, and its employees, the Plaintiff suffered, is suffering, and will continue to suffer severe and permanent

injuries to her body, as well as severe and protracted shock to her nervous system, all of which have caused, are causing, and will continue to cause her great pain and mental anguish.

10. As a direct and proximate result of the negligence of the Defendant, and its employees, the Plaintiff has been forced to lose time from her usual activities, duties and pursuits and was and will be caused to suffer a loss of wage-earning capacity.

11. As a direct and proximate result of the negligence of the Defendant, and its employees, the Plaintiff has been forced to expend large sums of money for medical care and treatment of injuries which he sustained and will continue to be forced to expend large sums of money for such medical care and treatment in the future.

12. The events at issue occurred in Baltimore County and therefore Baltimore County is the appropriate venue.

WHEREFORE, the Plaintiff, Shana David, demands judgment against the Defendant, Big Lots, in the amount of Five-Hundred Thousand (\$500,000.00) Dollars damages, together with interest and the cost of their action, and for such other and further relief as is deemed just and proper.

Respectfully submitted,

Alpert Schreyer, LLC

/s/ Michael V. McCubbin  
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**JURY DEMAND**

Plaintiff, Shana David, requests a jury trial in their matter.

/s/ Michael V. McCubbin  
Michael V. McCubbin, Esquire